



**Richard B. Rosenthal, Esq**

**Filed via ECF**

October 23, 2024

Honorable Adam B. Abelson  
United States District Judge

*Re: Case Number 8:24CV1205-ABA*

Your Honor:

I was out last week due to a death in the family and the Jewish holidays, and therefore missed the Court's deadline to respond to Document 39-1 – the Proposed Scheduling Order, which was due Friday, October 18, 2024. I apologize to the Court.

I met and conferred on Monday and today with opposing counsel, Henry T. Carkhuff regarding the proposed scheduling order. Both parties are fine with the court's proposed deadlines. Both parties will consent to an ADR conference. We expect two hours for each of the Defendants' depositions, and the Defendants expect to need two hours for their depositions. Both sides consent to proceed before a Magistrate.

The parties request that the Court accept this Response *Nunc Pro Tunc* to Friday, October 18, 2024.

Respectfully submitted,

/s/ Richard Rosenthal

Cc: Defendants' counsels through ECF

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